

REMARKS

In preparation for an appeal of the Final Office action it occurred to Applicant that the Examiner could be reading the claims differently from the way the claims were intended to be read. Accordingly, the claims have been amended to more clearly point out that the controlled playing time is a time that is contained within the message itself. The Examiner has said that the cited Wood reference has controlled playing times “associated” with messages. In this context, the word “associated” was intended to mean “within the message, or accompanying the message”. Claims 1, 28, and 44 have been amended to make it clear that the playing time arrives with the message. Wood clearly does not teach such a concept. In this respect and as amended the present application should now be held allowable.

Claim 19 has not been amended since claim 19 is directed to sending the message playing time for the message over the established communication channel. Wood does not in any manner teach a method in which a play time is sent over a communication path to control the play time of a message.

I. Conclusion

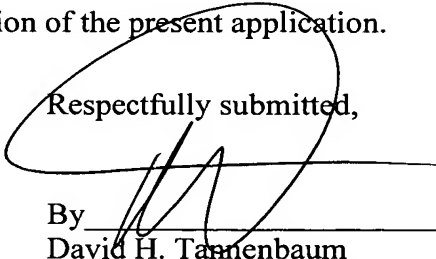
For all the reasons given above, Applicant submits that the pending claims distinguish over the prior art under 35 U.S.C. § 103 and meet the requirements of 35 U.S.C. § 112. Accordingly, Applicant submits that this application is in full condition for allowance.

Any fees due in the filing of this response are believed to be dealt with in the accompanying transmittal. However, if an additional fee is due, please charge Deposit Account No. 06-2380, under Order No. 05708/P010US/08008819 from which the undersigned is authorized to draw.

Applicant respectfully requests that the Examiner call the below listed attorney if the Examiner believes that the attorney can be helpful in resolving any remaining issues or can otherwise be helpful in expediting prosecution of the present application.

Dated: January 13, 2006

Respectfully submitted,


By _____
David H. Tannenbaum
Registration No.: 24,745
FULBRIGHT & JAWORSKI L.L.P.
2200 Ross Avenue, Suite 2800
Dallas, Texas 75201-2784
(214) 855-8333
(214) 855-8200 (Fax)
Attorney for Applicant